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COMPARTMENTAL - - - - - AUTONOMY

A LECTURE DELIVERED
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COMPARTMENTAL AUTONOMY

MR. CHAIRMAN AND GENTLEMEN

I propose to speak to you on the comparative merits of the Congress-League scheme and of the scheme that has been put forward in certain influential quarters as one which may serve as a school of probation for Indian politicians. I am strongly of the conviction that this alternative scheme is likely to work injuriously to the cause of India and I am, therefore, going to argue against it.

But I will try to present its good features first to you. This scheme of what is known as compartmental autonomy is an invention of some of our friends—I will call them friends, because it is best to credit them with good motives—for the peculiar benefit of India. (Laughter.) There is no country in the world which has had autonomy coming to it in this way, compartment after compartment, covering probably a period of 25 or 30 years, each step attended with difficulty, risk, danger and contention. Some of our friends say that if other countries have not got compartmental autonomy in this way, it is because their fitness was taken for granted. In India, however, it would appear, the question of fitness cannot be accepted as having been established. They want us to go from class to class and no double promotion will be allowed and no recommendation of any sort will be taken at the annual examination. It behoves us to examine this reasoning and it is more necessary to examine it because some of our friends seem to be tempted

by a particular feature of it to which I shall refer. Our good friends who otherwise would support the Congress-League scheme heartily are willing to take this other scheme for the reason that it would perhaps placate Anglo-Indian opposition which seems to be powerful, and at the same time allow us to go step by step onward to the goal which we all have at heart. We are asking for complete autonomy, legislative and financial, and for supremacy over the executive for the legislature. The theory underlying the opposition is that to transfer power outright to the hands of the people's representatives is to risk great failure, is to risk misgovernment, anarchy, mis-rule and injustice to particular classes and interests, particularly of European capitalists in this country. In order to guard against these they would give us first of all what we desire, namely, complete autonomy in some departments of administration—that is, a very small part of what we desire. If, therefore, we are to begin at the bottom of the ladder, what we should get now is the first compartment and seize all those branches of government which are least difficult, for even if we meet with failures there, as beginners we should, the harm done to the general administration might be as little as possible, so that, within about thirty years, the whole ground may be covered and at the end of that period we will reach the point which the self-governing dominions have reached.

There is in this an appearance of plausibility. To be prepared for something new is not a bad idea, but this is something quite extraordinary. Is it likely to be managed well on the whole? It may be weak in parts, it may be a comparative failure in parts, but is it sure to be

successful in other parts? The form of your constitution, of your management, must be the same for the whole. To divide government into two spheres—major ones in which you thrust all the vital ones and the other in which you put small things where people might bungle as they please, is to foredoom the experiment to a failure. No man can do well where he cannot have elbow room. No administration in those circumstances be successful. No men will put their hands seriously to manage a department until they had freedom to manage the finances of the country. Administration without financial powers is to make bricks without straw, and those who want to give us control over certain departments without, at the same time, putting into our hands power to adjust the necessary finances are giving us work for which they are not properly equipping us at all. They make financial provision and promise that they will hand over to you expenditure in the transferred departments during the last year or the average of the last five years' expenditure, which would be somewhat less, and they ask you to manage with it, and if you want additional money, they tell you not to touch any other departments where you are not masters but to raise the additional money you want by fresh taxation imposed on the country. But fresh taxation we are not at liberty to impose! We will have to go to the general sphere or to higher authorities. Unless they give you sanction, your financial proposals cannot succeed. There are two schools of people among those who make this proposal. One set of people say that they will give you an innocent department where you cannot do much harm, such as agriculture and co-operation where any fresh expenditure will not be necessary.

Against that some of our own people are raising the objection that they are not departments worth having, but that we must have weighty things in which we can benefit people in the course of our experience. This is also said by some on the other side. They propose to give you education—some would restrict it to elementary education—and then they will give you sanitation, medical relief and public works. Let us take education which is a simple case because every one takes interest in it. You all know how in education, if our people are to make progress, nothing can be done without lakhs and lakhs of fresh money put into the work of expanding elementary education. You will see at one glance how the department of education will require heaps of money. If we are not going to get control over the finances of the country, how will our people, who look forward to make education free and compulsory, tolerate us unless we showed improvement in that direction? The one thing we want is that education should be made free and compulsory as quickly as possible and we cannot do that without money, and for sanction we must go to the general sphere, and it depends on the pressure we put on the general sphere. Failing to get money from that quarter, we shall have to go to the country for taxation. Taxation is very unpopular. Nobody in the world is prepared to pay taxes. The Government are aware that as they have tapped all sources of revenue to the utmost, any fresh proposals of taxation, unless justifiable on the most extreme necessity, will be resented by the people, so that those who go to the country with fresh proposals of taxation for matters like free and compulsory education, which will perhaps be represented by some as unnecessary luxuries, stand to lose

heavily in popularity. Some of our friends want us to go that way. If we impose taxation for education, people will excuse us and look upon us with some amount of indulgence if we show economy in other departments, and if we are able to couple with our proposals of taxation some retrenchments in other directions. But they propose to give us all expensive departments where we cannot apply scissors to bring about economy. I am perfectly certain that while we are taxing people for such purposes as education, etc., the general sphere will not keep their hands back, because they will require money for the army, the navy, aerial craft and services. In this scheme there will be different sets of people, each anxious to draw further money from people tapping the same sources and taxing the patience of the people.

Apart from this difficulty of taxation, there is the other question as to who is to judge whether we have done well or ill, and when the next step can be taken. On this point we have to talk pretty frankly and I will state plainly that those who judge will not be necessarily the people but will be those who, according to Mr. Montagu's pronouncement, are responsible for the welfare and advancement of the people. It is the Government of India, which in their scheme will remain as bureaucratic as ever, that have to judge whether we have done well or ill. I resent to be put on trial from day to day. For 150 years the people have been on trial and they have gone to school—the best in the world—namely, British Parliamentary institutions. Still they are putting us to trial and eternal examinations. They tried us in the services, and we acquitted ourselves well; they have tried us in local self-government and we have

done well there too; they are going to try us in the Indian Defence Force and I think that we will do well there also. In the constitutional advance we used all the powers that we had and hungered for more almost immediately. The reforms of 1909 we have worked until we have found how much they are worth, and that is precious little. Why should these people still try us? I will have no objection to these examinations provided you had confidence in your examiners that they will judge you in a sympathetic spirit. Are you sure that from those who will have the judging power in their hands you will get fair-play? Do you think you have faith in the bona fides of our future judges in these matters? I confess I have not. (Cheers.) Every time this matter comes up for examination, you will be presented with severe indictment of your innumerable failures, and you will be pronounced to have absolutely failed. The most sympathetic will say: "Put them in the same class for another five years." In the British Constitution it is difficult to go back but you can remain stationary. If we go on at this rate, every step will be attended with difficulty and with friction, and we shall have to put extraordinary pressure on the judges. It is not always that extraordinary pressure can be put. I therefore think that for that reason also this proposal of compartmental autonomy is an exceedingly difficult proposal.

I will come to another difficulty. For both these spheres your legislative council will be the same. In one department you will have full control, and in another compartment you will have the present power of advising, suggesting and criticising more or less freely—that is all, they having the power to listen to you and shut you up saying that they will not accept

your recommendations when you succeed in passing them, which is once in a way. What do you think will happen? In the one sphere you are where you are, with power to make speeches, and in the other sphere, you are masters comparatively speaking. You have power to make and unmake ministries as if in Parliament. Do you think that it is natural or not for ambitious people in the country who have got in the same legislative council to do with two such spheres to prefer the one where there is field for contention, strife and friction to the other where you can go and howl with speeches and do nothing more? All the attention of our people will be concentrated on departments where we have some freedom, and they will be departments in which we will have to risk great unpopularity and possibly failure. In all these cases the Governor or the head of the Province is a very important person and he will have to be a man of great qualities, with abundance of tact. If you give the Governor two spheres like these in which he will have to be a mere figurehead in one sphere and a real head with plenty of powers in the other sphere, he will have to change his disguise, as they do in the theatre, too often in the same day. These are difficult things. For a man to play the part of a constitutional monarch is a difficult role. Even to-day the attainment of the ideal of constitutional monarchy has not been fully achieved. If after these long decades even in England a fully constitutional monarchy is difficult of attainment, how do you expect Governors to be mere figureheads in some of the branches merely for our benefit? I was talking to an Anglo-Indian gentleman on this matter and he told me that if he were a Governor called upon to perform those two functions at the same time he would

book his passage home the moment he was called upon to perform such functions. Then the country too will not know whom to obey. Take our large departments and the innumerable army of officers we have. Most of these have to serve several masters. If they had to obey people with full autonomous powers in some departments and had to deal with others who, in certain spheres, were just officials of the present type, you will be exposing our servants to very severe strain and they will have to reconcile themselves to two things which are somewhat irreconcilable.

I think that this experiment which they propose to start in India is a dangerous temptation. In order to sweeten the pill for us and to show that, while they take away the major part of our sphere, they at the same time give us something which is worth having, they propose to give us in this matter what they call responsible government—responsible government in the full technical sense—namely, government where the legislature controls the executive to the extent that the executive should resign as soon as it is discovered that it ceases to command a majority in the legislature. Then the opposition takes charge of the government. They say that in these small departments they will allow you to manage things on this plan of responsible government. In the Congress-League scheme provision is not made for that: we have stopped short at the point of responsible government. They say that they give us power in the highest form. I am sorry to find that this temptation is strong enough to deceive some of our own people. There are some amongst our Congress friends who are willing to look at this scheme with an eye of friendliness. I am, on the contrary, one of those that think that this is a red-herring meant to draw off

our scent elsewhere and I want to state clearly my conviction in that regard. I want to say one thing, and that on my own responsibility.

What they call responsible government—I mean in the technical sense of turning the executive out of office—is one of the superstitions of Englishmen. They believe somehow or other that their constitution is the ideal constitution for all times, for all countries and for all people. To them the idea of freedom in constitutional matters is to be able to turn out one government and to substitute another. This, however, does not seem to me to be the last word in constitutions. As I conceive the matter it is quite possible to have full control over your executive without, however, turning it out, and they are having it in America and in Switzerland. I will not say that Germany is having it, because that would not do in these days, and Germany is not supposed to enjoy a popular form of government. But Englishmen are so proud of their system that they consider responsible government the very acme of self-government. I am not concerned to deny that proposition directly here. I am inclined to think that from other governments also a good deal of popular good may be brought about. You will find that full responsible government of this kind where you have a system of ins and outs as in cabinets can be successful where you have two well-developed political parties like the conservatives and liberals as in England, and it is possible that, as soon as one government is defeated, for the opposite party to supply from its own ranks a number of men competent to form a government of their own. That is the principle. Where, however, you have no two parties, the great danger is that you cannot construct a

government which is composed of individuals standing for some definite principles or policy. You can have a government made of people from one clique or fraction all coming together, but having no binding principles, no coherent policy, and the result will be your government will be exceedingly weak, as you know all coalition governments are. They can just manage to live; the moment they do anything important, they are liable to be attacked from various sources and they will have to go out of power. Where there are not two great parties, each competent to form a government of its own, these difficulties are always likely to arise. The English Constitution is appreciated not only by English people, but in France it was believed that it was the best form of government. But few people understand really the inner workings of the English Constitution. The English Constitution is unwritten and I doubt if it is understood properly by all the members of Parliament. I read the other day that Canada got self-government without knowing the details of the Constitution. It is only amongst us that it is pretended that this constitution is one of the most mysterious things, so that it is sometimes feared by our own leaders that they will have to stand a very stiff cross-examination at the hands of Mr. Montagu. I do not know why Mr. Montagu should cross-examine us on constitution at all. We shall have to answer a very stiff paper, it would appear, on the working of our scheme. I ask how many members of Parliament to-day can answer a stiff paper on the working of the English Constitution? How many Magistrates can answer a paper on the Criminal Procedure Code? I was going to say that all over the continent there was a blind

admiration for the English Constitution and they copied the whole thing. The result is that in France and other countries, where full responsible government on the English plan was adopted, it has been found to be a comparative failure. In France, no government seems to subsist for more than a year, and that seems to be the average life of a cabinet. You read the other day that while maintaining the ground on military matters, they had to go aside on small issues. In France there are no great Parliamentary parties, but they divide into various subsidiary groups, and no one group can supply government; they must therefore fall. Even in England it has now been discovered that since the advent of an independent labour party and the Irish nationalists and the formation of other groups, the cabinet system has ceased to yield its most beneficial results and it is now believed that, after the war, in all probability, the old party system and the cabinet government based on the existence of that system will not be restored in its integrity and that great changes will have to be made in it. You might have seen the announcement of a new party called the national party who will discord all party plans of work. Whether they will succeed or not, I do not know, but all I am concerned to point out is that some of the best minds in England are trying to solve the problem of what should be the future government in England, as it is impossible to restore the party system in all its integrity.

If then this cabinet system will not be found to yield in India the best results, what are likely to be its dangers? The first danger is that the executive will very probably be weak and unstable. In countries that have yet to develop, I know of no evil, no national

danger so great as a weak executive, unstable executive. We want vigorous policy pursued in the country even at the risk of unpopularity and great steps in reform in various departments, and unless you had a strong executive, you cannot carry forward the administration on healthy and promising lines. There are only two ways in which a strong executive with popular institutions can be maintained: either have two parties or construct an irremovable executive. Do you know what they did in Japan? When they had to make government they showed their remarkable power of imitating with adaptations suitable to themselves. Like sensible people they went all over the world and studied good working constitutions in various countries and took what was considered good in each, and they have made a constitution for themselves in which every good form of government is maintained without this ultimate proposition of being able to turn out government when they were not satisfied. Japan thought that it was too much. In Japan there are no two parties as in England. The Japanese said that they would follow Germany and adopted a plan under which up to this date the executive is strong because it is irremovable; they will resign only when they find it impossible to get on. You cannot pass a vote of censure and ask them to quit. I know that there is a movement in Japan to make the government responsible, but it may take time, and it should be remembered they have gone on for about forty or fifty years without responsible government in its technical sense and now they find that the party system is taking shape and it is possible to build on that basis the extreme form of responsible government. Let us proceed also on that line. If we create parties it will

be time to get responsible government in its technical sense. Let it be done under conditions favourable to it. This proposition that I have laid down, viz., that two main parties each able to make a government of their own are a necessity for successful responsible government, is not a proposition which I am evolving from my own head. It is laid down in all books on Constitution, such as Dicey's "Law of the Constitution," etc. This bait that our friends throw out to us that we shall have responsible government to the full, as the Secretary of State has put it down as the ultimate goal of political evolution in India, in certain departments specially chosen, is a bait therefore which I refuse to swallow and I would advise all people to refuse to swallow it. It is thrown out to us merely as a temptation and I conceive some danger in it. A few good places carrying vast power and prestige where you can call yourselves cabinet ministers will be a great temptation for many of our people who come into Parliamentary life as we shall have it. The front benches, the treasury bench and the opposition bench, where all our eminent people will sit, will be, as they were in England till the war broke out, constantly attacking each other on narrow issues, for the opposition will be bound to attack the government and that will open the door to all kinds of imaginable evils. If you put them into the power of turning out governments it is putting them under a terrible temptation. They will reduce all public work to the task of criticism and try to trip each other, and it will be the business of a few people to continually want to displace each other and do not care for the affairs of the nation. When we find a certain number of people opposing our own people, those who bave got to be judges will have to be

pleased. In their departments there will not be these unseemly wrangles and temptations to replace officers. It is only in these other departments that these things will go on and our judges in those other departments will say that we are only quarrelling with each other. While they get through business after business here, there will be opposition, endless discussions, and they will find extreme inconvenience when it is also extended to other spheres. It is against that I wish to warn our people. We cannot have exhibited to the eyes of the people two different kinds of conducting business, one of which will be more educative but certainly more embarrassing and more difficult to manage and offers our own people temptation to merely quarrel with one another. When you have a government of that kind what they have to do is to try and please several people—this big man, that big man, this faction and that clique—it may not be by a regular bribe but by some deference shown to him or some appointment given to one in whom he is interested, and in that way your government will have to be kept alive as there is no disciplined party on whom they can count. They will be concerned with finding ways to live rather than with improving the administration.

In our Congress-League scheme we have made ample provision for securing the subordination of the executive to the legislature. There are as many as eight or ten provisions for bringing the executive completely under the control of the legislature. It is possible to convert them into instruments of our will but we shall not cripple them. We are not going to give them this very difficult tenure in which they will not be able to say whether they can live for a month or

not. Under responsible government they will have the constant fear of going out of office. We guarantee them a life of five years and during that period of five years they will have to show what they are worth. A government must live for a time before taking up any big measures and ascertain the feeling of the country. If you keep them under the fear that they will have to go out of office as soon as the majority turns against them, as I said, they will not put their hands to anything very serious. But they say to us "your government will be in a strange difficulty if it is confronted with a legislative council in which there is no full sense of responsibility developed, for when your ordinary members out of office criticise the government they criticise them irresponsibly and lay all sorts of wild cat schemes, because they do not expect to get into office by defeating the government and therefore their criticism is not responsible, is not sobered by the feeling that to-morrow they may have to do the very thing that they promise." That is the advantage that they urge in favour of the compartmental system. It would appear that our criticism in the legislative council is of such irresponsible sort. On the other hand, I think that so far as criticisms in legislative councils are concerned, with all their trials and difficulties, they have been remarkably sane and sober. In no country in the world with such little responsibility in their hands has the legislature been able to put forward proposals of legislation which are marked by such sense of sobriety and practical work. I do not know of a single wild cat scheme proposed by our people. When you thrust on them the burdens of providing taxation and of being responsible for laws made and policies followed, I am certain that our legislators

will be more than equal to the additional responsibility thrown on them; they will show a great deal of practical sense and desire to accommodate themselves to the needs of the day and I am certain that all the criticisms will be quite sober as if they were going to run the whole thing for themselves to-morrow. When the relations of the legislature and the executive are definitely known to the people and the electors come to see the possibilities of the constitution and when they see that they are responsible for administration and likewise have the control of legislative action, then for any failures in administration, for any mischief caused, for any damages incurred they will not hold the executive responsible, who are mere instruments for carrying out the popular will, but those whom they have elected and they will say that at the end of the period they will turn them out. My reading of the character of our people is that they are eminently sane and practical and that they are not likely to embarrass the executive with all sorts of wild plans and schemes. Supposing, however, that it did happen that the legislature was wrong and did some things very foolish, where is the Governor gone with his power of veto which we have given him? In constitutional countries the veto is reserved only for use on occasions where Imperial affairs are concerned. In India, however, the veto will necessarily carry with it power to prevent bad legislation. Let us examine this question of responsibility sobering down criticism by applying it to English public life. In English public life people get into office and get out of office. Are the opposition at all sobered in their criticism by the thought that to-morrow they will sit on the treasury bench and carry out the policy which they now recommend? Is it not within your experience that

when Government bring forward eminently sane proposals, the opposition attacks them for the mere fun of it simply because they emanate from the other party? If that were really the case, you would expect that, as soon as the opposition went into power, they would spend two or three years of their office in undoing the mischief of which they had complained. On the contrary, when the new government takes office it does not do that; but follows the policy of its predecessors. This is proof of English commonsense, they may say. But what we shall say to them is we shall show proof of Indian commonsense not only when we come from opposition to government but even when we are not. We do not want to get into government in order to embarrass the executive, but with a full sense of responsibility we give them guarantee of five years' life so that, in that time, they may think out what is good for the people and try to carry it out. I am one of those who believe that full responsible government in the technical sense is not likely to yield the utmost benefit to the people of India.

In the Congress-League Scheme we shall have real responsible government all along the line. If we get this, supposing we took no further steps in constitutional advance which is a very improbable thing, for the next fifty years, we will be enjoying a great deal of practical independence and giving our people what we consider to be an indigenous government, consulting their fullest desires and therefore bringing to their doors such comfort and happiness as it is possible for a sympathetic government to bring. Suppose we adopted the alternative plan, the next step may be found to be very difficult. Will a conjunction of circumstances such as now make a step probable, favour us at the end of

every five or ten years? You know we are not likely to be judged favourably or sympathetically whenever the time comes for revision and we cannot afford in India to have these constant bickerings, quarrels and contentions. We are asking more and more because we consider ourselves to be fully fit. This kind of bickerings we want to put an end to and it is not likely that they will be put an end to if we take this alternative scheme. Suppose we have this mockery of compartmental autonomy, we shall have obtained something which is bitterness and grief. I am, therefore, strongly of opinion that when our leaders meet Mr. Montagu, they should stick to the Congress-League scheme, stand by it firmly and refuse to consider any alternative which will restrict their work to a few small departments or to a few risky and expensive departments which will deny them financial autonomy for a number of years, reserving finance as the last coping-stone to be got after attaining according to their standard the constitutional education to which they put us. That means perhaps thirty or forty years and you will see how it is possible for them to so manipulate the schemes that they will bring such benefits as are possible to those who have any power and as little benefit as possible for the people for whose benefit all the administrative actions are meant in the plans that are being put forward. I am strongly inclined to think that while some of those who recommend these compartmental proposals might be actuated by good intentions, there are others who are urging them merely to put off the evil day. They want to satisfy the people with some offices and have in their own hands as much of the real power as possible these hopes to themselves. In order to prevent these

people having their way and succeeding in putting off our getting any control over the finances of the country, it is necessary for the whole strength of our leaders to be concentrated on the Congress-League scheme, asking for an elected majority in the Imperial and Provincial Councils, for full legislative autonomy, for control over the financial resources of the country and also for full power as provided in the various clauses of the Congress-League scheme for controlling the executive throughout, so that we shall have a really responsible executive though not in the technical sense. I am not against the technical responsible executive, but we shall get that in the nature of evolution when we have formed two parties and are fitted to take advantage of it; now it is unsuited and may yield evil to the country instead of good.

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